



08/03/01

Docket No. A-64411-2/RFT/RMS/RMK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification of this Application:

Class: 435

Subclass: Unknown

Prior Application: 09/639,311

Examiner: To be assigned

Art Unit: 1656

"EXPRESS MAIL" MAILING LABEL

NUMBER EL 758643073 US

DATE OF DEPOSIT 8-3-01

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO: BOX PATENT APPLICATION FEE, ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME DARRYL KRINER

SIGNED

BOX PATENT APPLICATION

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a request for filing an

☒ Continuation

application under 37 C.F.R. 1.53(b), in the name of

Thomas J. MEADE and Jon F. KAYYEM

(Names of ALL Applicants)

for METALLIC SOLID SUPPORTS MODIFIED WITH NUCLEIC ACIDS

(Title of Invention)

This ☒ continuation ☐ divisional ☐ continuation-in-part

claims priority to pending application Serial No. 09/639,311, filed on August 15, 2000 and Serial No. 08/808,750, filed on February 28, 1997 now U.S. Patent No. 6,265,155 and Serial No. 08/475,051, filed June 7, 1995, now U.S. Patent No. 5,824,473.

1. (a) ☐ Enclosed is a new application.
(b) ☐ Enclosed is a continuation-in-part application.
(c) ☒ Enclosed is a copy of the prior application.
2. (a) ☐ Enclosed is a new Declaration.
(b) ☒ Enclosed is a copy of the prior Power of Attorney and Declaration as originally filed.
3. (a) ☐ Enclosed is a Small Entity Affidavit.
(b) ☐ A Small Entity Affidavit is of record in the prior application.
4. ☐ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1)	(Col. 2)	SMALL ENTITY		OTHER THAN SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$355		\$710
TOTAL CLAIMS	__ - 20 =		× 9 =	\$	× 18 =	
INDEP CLAIMS	__ - 3 =	0	× 39 =	\$ 0	× 78 =	
MULTIPLE DEPENDENT CLAIM PRESENTED __ YES			+130 =	\$	+260 =	
If the difference in Col 1 is less than zero, enter "0" in Col. 2			TOTAL	\$	TOTAL	\$



5. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Our File No. A-64411-2/RFT/RMS/RMK).
6. ☐ Our check in the amount of \$710 is enclosed.
7. ☒ Cancel in this application original claims 2-14 of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
8. ☒ Amend the specification by inserting before the first line the sentence:
 --This is a ☒ continuation ☐ divisional ☐ continuation-in-part
 of application Serial No. 09/639,311 filed August 15, 2000 and Serial No. 08/808,750 filed February 28, 1997 now U.S. Patent 6,265,155 and Serial No. 08,475,051, filed June 7, 1995, now U.S. Patent No. 5,824,473.--
9. ☒ NO drawings are enclosed.
10. (a) ☒ Priority is claimed under 35 U.S.C. 119/120 of application Serial No. 09/639,311 filed August 15, 2000 and Serial No. 08/808,750, filed February 28, 1997 now U.S. Patent 6,265,155 and Serial No. 08/475,051, filed June 7, 1995, now U.S. Patent No. 5,824,473.
- (b) ☐ The certified copy has been filed in prior application Serial No. _____ filed on _____.
11. ☒ The prior application is assigned of record to California Institute of Technology
12. ☒ The power of attorney in the prior application is to:
 Name: Robin M. Silva
 Address: Flehr Hohbach Test Albritton & Herbert LLP
Four Embarcadero Center - Suite 3400
San Francisco, California 94111-4187
- (a) ☒ The power appears in the original papers in the prior application.
- (b) ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) ☐ A new power has been executed and is enclosed.
- (d) ☒ Address all future communications to:
 Robin M. Silva, Esq.
 FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
 Four Embarcadero Center - Suite 3400
 San Francisco, California 94111-4187
 Tel.: (415) 781-1989
 Fax: (415) 398-3249
13. ☐ An Information Disclosure Statement and Statement of Relatedness is enclosed.
14. ☒ A Preliminary Amendment is enclosed. Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.
15. ☒ I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/639,311 as originally filed on August 15, 2000.

Date: 8/3/01

Signature: _____

Renee M. Kossak, Reg No. 47,717 for
 Robin M. Silva, Reg. No. 38,304

Address of Signer:

FLEHR HOHBACH TEST
 ALBRITTON & HERBERT LLP
 4 Embarcadero Center - Suite 3400
 San Francisco, California 94111-4187
 Tel.: (415) 781-1989
 Fax: (415) 398-3249

☒ Attorney or agent of record

☐ Filed under Section 1.34(a)